

the ability of faith-based organizations to participate, as they have over their proud history. That is why the broad-based array of religious organizations will oppose what is going to be offered in the motion to recommit, but strongly support, strongly support, the Shuler amendment to add this language to the statute to provide this protection and to provide this recognition of the historical service and the ongoing service that these faith communities have provided to the children that are eligible for Head Start to provide that quality education year after year after year after year.

That is what this amendment does. We should welcome it. We should adopt it overwhelmingly in this House and get on with the debate.

Mr. Chairman, I thank the gentleman and his cosponsors for offering this amendment.

Mr. SHULER. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana (Mr. ELLSWORTH).

The Acting CHAIRMAN. The gentleman from Indiana is recognized for 45 seconds.

Mr. ELLSWORTH. Mr. Chairman, I am proud to be a sponsor of this amendment, and I urge my colleagues to support it.

This amendment honors faith-based and community-based organizations that provide essential health services and education to thousands of low-income children each and every day. This program is a perfect example of government and faith-based organizations partnering to provide every child an equal playing field in school and in life, and we must ensure these churches and schools receive the support they need.

This amendment demonstrates our support to the thousands of families across Indiana who depend on Head Start programs run by faith-based and community organizations. These programs are dedicated to ensuring equal opportunities for Hoosier children, and I am proud to support them today on the House floor.

I urge my colleagues to support this amendment and to pass this important bill.

Mr. McKEON. Mr. Chairman, I would like to read an excerpt from the Family Research Council. "This bill should help ensure that faith-based organizations with proven records of serving the neediest among us will be allowed the freedom to hire the best staff they see fit, free of burdensome regulation."

Unfortunately, it does not. If we had been able to discuss the Fortuño amendment today, we would have been able to vote on ensuring what they are asking for here. Later on in the discussion, I will add these letters, along with several others I have in support of the Fortuño amendment and in opposition to this amendment.

Mr. Chairman, with that, I urge my colleagues to defeat this amendment.

Mr. McKEON. Mr. Chairman, I submit the following letters for the RECORD:

THE CENTER FOR PUBLIC JUSTICE.

April 30, 2007,

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

Hon. JOHN BOEHNER,
House Minority Leader,
Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER: The Coalition to Preserve Religious Freedom, a multi-faith alliance of education, social-service, and religious freedom organizations, asks for your support to make federal social programs fully open to the participation of qualified faith-based organizations. We are concerned that some federal legislation does not adequately invite faith-based participation, while ensuring the religious liberty of beneficiaries. We are also concerned that other federal legislation, such as the Workforce Investment Act and the Head Start Act, has language excluding faith-based organizations that desire to retain their freedom when hiring to take account of the religious convictions of potential employees.

We ask in particular for your support to make the Head Start program hospitable to faith-based organizations when H.R. 1429, the Improving Head Start Act, comes up for floor action.

In the Education and Labor Committee's recent markup of the bill, Resident Commissioner Fortuno's amendment to clarify the eligibility of faith-based organizations to participate in Head Start unfortunately was defeated. The amendment would have added language making it explicit that faith-based organizations are eligible to take part on the same basis as secular organizations, without being required to minimize their religious character. Such language reflects the U.S. Supreme Court's turn in First Amendment interpretation to the equal treatment or neutrality standard.

As part of the confirmation of the equal eligibility of faith-based providers, the amendment provided that religious organizations participating in Head Start would no longer be required to waive their freedom under the 1964 Civil Rights Act to take account of religion when making employment decisions. We understand that some members regard such an affirmation of the Civil Rights Act's standard as introducing pernicious religious job discrimination into the federal early childhood education program. Yet the Civil Rights Act expressly provides that it is not to be regarded as discrimination when a religious organization considers religion when evaluating potential employees.

We believe that the Civil Rights Act got it right on this, just as we believe that political and environmental organizations must be free to assess job candidates on the basis of ideological conviction. We see no reason why religion (or political views or environmental convictions) would suddenly become irrelevant to an organization's internal life and commitments when it agrees to serve its community in a partnership with government. Nor is it unconstitutional for a religious organization that receives government funds to continue to staff on a religious basis. The federal judge in the major 2005 religious staffing case, *Lown v. Salvation Army*, resoundingly affirmed the contrary.

We respectfully request that you disavow the characterization made by some members of Congress that religious staffing by faith-based organizations is invidious "Job discrimination." "We request that you support the continuing effort in Congress to remove from federal programs language contradicting the Civil Rights Act's affirmation of the religious staffing freedom. We believe that programs such as Head Start and the

Workforce Investment Act should be brought into line with the large majority of federal programs that do not restrict religious staffing by faith-based organizations that desire to collaborate with the government to provide assistance.

Thank you.

Sincerely,

STANLEY W. CARLSON-THIES,

The Center for Public Justice.

On behalf of the Coalition to Preserve Religious Freedom and the undersigned organizations:

Organizations are listed for identification purposes only.

Dr. Robert C. Andringa, President Emeritus, Council for Christian Colleges and Universities.

Anne R. Apodaca, Executive Director, New Mexico Community FaithLinks.

Dr. Art Ayris, President, The Florida Bridge.

Greg Baylor, Director, Center for Law and Religious Freedom, Christian Legal Society.

Richard Cizik, Vice President for Governmental Affairs, National Association of Evangelicals.

Rabbi Abba Cohen, Director and Counsel, Washington Office, Agudath Israel of America.

Paul Corts, President, Council for Christian Colleges and Universities.

Lisa Cummins, Center for New Communities.

Rimmer DeVries, Camano Island, Washington.

Nathan Diamant, Union of Orthodox Jewish Congregations of America.

Barrett Duke, Ph.D., Vice President for Public Policy and Research, Southern Baptist Ethics & Religious Liberty Commission.

Mark L. Earley, President, Prison Fellowship Ministries.

Rev. Bill Emery, Director, Virginia Roundtable.

Dr. Bernard Fryshman, President, Association of Advanced Rabbinical and Talmudic Schools, New York, New York.

Mr. Israel Gaither, National Commander, The Salvation Army, United States.

Walter Gilbert, CEO, Open Door Adoption Agency, Inc., Thomasville, GA.

Dennis Griffith, Executive Director, Teen Challenge of Southern California.

Rev. John Hughes, Metro United Methodist Urban Ministries, San Diego, CA.

Andrea Lafferty, Executive Director, Traditional Values Coalition.

Donna Long, President, The National Bridge Alliance.

John Long, President, The Georgia Bridge.

Rev. Paul Lundberg, Atwater Baptist Church, Atwater, CA.

Dr. Larry Martin, President, Kentucky Compassion Bridge.

Freddie John Martin, Teltech Development Consulting Corporation, Silver Spring, Maryland.

Tom McClusky, Vice-President for Governmental Affairs, Family Research Council.

Ellen McKinley, Child Development Education Alliance, Orange Park, FL.

Stephen Monsma, The Henry Institute for the Study of Christianity and Politics, Calvin College, Grand Rapids, MI.

Rev. James Ortiz, Senior Pastor, President, My Friend's House, Assembly of God, Inc., Metro Impact Ministries, Inc., Whittier Area Evangelical Ministerial Alliance, Whittier, California.

Rev. Carl Rehling, Diocesan Liaison for Justice and Peace, Episcopal Diocese of Maryland.

Shari Rendall, Director of Legislation and Policy, Concerned Women for America.

Amy L. Sherman, Director, Sagamore Institute Center on Faith in Communities, Charlottesville, VA.